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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No.: 05-00725 MAG
)	
Plaintiff,)	STIPULATION AND
)	<u>ORDER EXCLUDING TIME</u>
v.)	
)	
MATTHEW D. CHILD,)	
)	
Defendant.)	

On December 21, 2005, the parties in this case appeared before the Court for a status appearance. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from December 21, 2005 to January 25, 2005 for continuity of counsel and for effective preparation of defense counsel. The parties represented that granting the continuance was the reasonable time necessary for continuity of defense counsel and effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a

continuanee outweighed the best interests of the public and the defendant in a speedy trial. See
18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

KEVIN V. RYAN
United States Attorney

12/21/2005
DATED: _____

/s/ Derek Owens

DEREK R. OWENS
Special Assistant United States Attorney

12/23/2005
DATED: _____

/s/ Steven Kalar

STEVEN G. KALAR
Attorney for Mr. Child

As the Court found on December 21, 2005, and for the reasons stated above, the Court finds
that an exclusion of time between December 21, 2005 and January 25, 2006 is warranted and
that the ends of justice served by the continuance outweigh the best interests of the public and
the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the
requested continuance would deny Mr. Child continuity of counsel and would deny defense
counsel the reasonable time necessary for effective preparation, taking into account the exercise
of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: January 4, 2006

